

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

SEAN ANTHONY NEWBERG,

Plaintiff,

vs.

GEORGE LITTLE, et al.,

Defendants.

§
§
§
§
§
§
§
§
§
§

No. 05-2776-M1/V

ORDER DENYING LEAVE TO AMEND
AND
ORDER NOT TO FILE ADDITIONAL DOCUMENTS IN CLOSED CASE

Plaintiff Sean Newberg, RNI number 150171, who is currently an inmate at the Shelby County Detention Center ("SCDC")¹ in Memphis, filed a pro se complaint pursuant to 42 U.S.C. § 1983 on October 17, 2005. The Court issued an order on December 16, 2005 directing the plaintiff, within thirty days, to comply with the Prison Litigation Reform Act of 1995 ("PLRA"), 28 U.S.C. § 1915(a)-(b), or pay the \$250 civil filing fee. Because the plaintiff did not comply with this order, the Court issued an order on February 1, 2006 dismissing the case without prejudice, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute. Judgment was entered on February 1, 2006.

On February 6, 2006, plaintiff filed a motion seeking leave to amend his complaint. As the complaint has been dismissed, the motion

¹ The word "prison" is used in this order to refer to all places of confinement or incarceration, including jails, penal farms, detention and classification facilities, or halfway houses.

is DENIED. The Clerk is ORDERED not to file any additional documents in this closed case except for a one-page notice of appeal, should one be submitted. Any documents submitted by the plaintiff in this case should be returned to him without filing.

IT IS SO ORDERED this 17th day of February, 2006.

/s/ Jon P. McCalla
JON PHIPPS McCALLA
UNITED STATES DISTRICT JUDGE